

David S. Carter
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Attorneys for Defendant Sears, Roebuck and Co.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

RUTH BUCHANAN,

Plaintiff,

vs.

SEARS, ROEBUCK AND CO.,

Defendant.

Case No. _____

NOTICE OF REMOVAL

TO: UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

This notice of defendant Sears, Roebuck and Co. respectfully shows:

1. That on the 6th day of May, 2008, an action was commenced against defendant Sears, Roebuck and Co. in the Superior Court for the State of Alaska at Anchorage, entitled *Ruth Buchanan v. Sears, Roebuck and Co.*, Case No. 3AN-08-7223 Civil. Plaintiff is seeking damages in an amount greater than \$100,000.

2. That this notice of removal is being filed pursuant to Title 28, United States Code § 1446(a) and (b) within thirty (30) days after receipt by defendant Sears,

HUGHES PFIFFNER GORSKI
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Roebuck and Co. of the Summons and Complaint in the above-referenced action. Service of the Summons was accomplished on May 14, 2008. Copies of all papers found by defendant Sears, Roebuck and Co. in the file of the Superior Court for the State of Alaska, Third Judicial District, concerning this action are attached hereto in accordance with Title 28, United States Code § 1446(a):

Exhibit A	Case Description – Superior Court, undated
Exhibit B	Counsel of Record form, undated
Exhibit C	Complaint dated May 5, 2008
Exhibit D	Summons and Notice to Both Parties of Judicial Assignment dated May 6, 2008
Exhibit E	Affidavit of Civil Rule 4 Process dated April 8, 2008
Exhibit F	Notice of Removal of Civil Action dated June 4, 2008

See Exhibits A-F, attached.

3. This court has original jurisdiction of this action pursuant to Title 28, U.S.C. Section 1332(a), and this action may be removed to United States District Court pursuant to Title 28, U.S.C. Section 1441, in that it is a civil action, the sum in controversy exceeds \$75,000, exclusive of interest and costs, and complete diversity exists between the parties to this lawsuit.

On information and belief, at the time this action was commenced, Plaintiff was a resident of Alaska as alleged in the Complaint.

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At the time this action was commenced, defendant Sears, Roebuck and Co. was and is a corporation organized and incorporated under the laws of the State of Delaware. It has its principal place of business in Hoffman Estates, Illinois.

4. Defendant Sears, Roebuck and Co. will pay all costs and disbursements incurred by reason of removal proceedings hereby brought should it be determined that this case is not removable or is improperly removed.

WHEREFORE defendant Sears, Roebuck and Co. gives notice that this action formerly pending in the Superior Court for the State of Alaska, Third Judicial District is hereby removed to this court.

DATED at Anchorage, Alaska, this 4th day of June, 2008.

HUGHES PFIFFNER GORSKI
SEEDORF & ODSEN, LLC,
Attorneys for Defendant Sears, Roebuck
and Co.

By:



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VERIFICATION

STATE OF ALASKA)
)
) ss.
THIRD JUDICIAL DISTRICT)

David S. Carter, being first duly sworn, deposes and states that he is one of the attorneys for Sears, Roebuck and Co., defendant above named; that he knows the contents of this notice of removal and that the same are true and accurate to the best of his knowledge and belief; and that he voluntarily executed the foregoing notice of removal and was fully authorized to do so on behalf of Sears, Roebuck and Co..

David S. Carter
David S. Carter

SUBSCRIBED AND SWORN TO before me this 4th day of June, 2008.

Michelle Tyms
Notary Public in and for Alaska
My commission expires: 3-7-09

I hereby certify that on the date below
a true and correct copy of the foregoing
document was delivered via U.S. Mail to:

David R. Wallace
Pentlarge Law Group
1400 W. Benson Blvd, Ste. 550
Anchorage, Alaska 99501

DATED this 4th day of June, 2008.

Michelle Tyms
Michelle Tyms

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Ruth Buchanan v. Sears, Roebuck and Co.

Notice of Removal

Index of Exhibits

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